

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

No. CR 14-00306 WHA

v.

LUKE D. BRUGNARA,  
Defendant.

**CERTIFICATE AND ORDER  
FINDING DEFENDANT LUKE  
BRUGNARA IN CRIMINAL  
CONTEMPT TWO ADDITIONAL  
TIMES**

Under FRCrP 42(b), “[N]otwithstanding any other provision of these rules, the court (other than a magistrate judge) may summarily punish a person who commits criminal contempt in its presence if the judge saw or heard the contemptuous conduct and so certifies. . . . The contempt order must recite the facts, be signed by the judge, and be filed with the clerk.”

This order hereby certifies that the undersigned judge witnessed firsthand that defendant Luke Brugnara committed the following contemptuous conduct:

- (1) On May 4, in violation of the Court’s orders, defendant badgered and abused witness Janie Zuang by attacking her competence and continued to interrupt and talk over the undersigned judge and government counsel. For that conduct, defendant is hereby sentenced to **21 DAYS IN JAIL**, to be served consecutively to any sentence defendant receives as a result of the fraud, false statement, and escape charges that are currently pending.
- (2) On May 5, despite several warnings, defendant’s conduct persisted. Worse, defendant continued his personal attacks on Assistant United States Attorney Robin Harris, by screaming that she was “worse than a Nazi” in the presence of the jury. For this conduct, defendant is hereby sentenced to an additional **90 DAYS IN JAIL**, to

1 be served consecutively to any sentence defendant receives as a  
2 result of the fraud, false statement, and escape charges that are  
3 currently pending.

4 In sum, this order sentences defendant Luke Brugnara to a total of **111 DAYS IN JAIL**, to  
5 be served consecutively to any sentence defendant receives as a result of the fraud, false  
6 statement, and escape charges that are currently pending. This contempt sentence is in addition  
7 to the 21 day sentence defendant received on April 29 (Dkt. No. 529) and the 142 day sentence  
8 he received on May 4 (Dkt. No. 547). Since the beginning of trial, defendant has now received a  
9 total summary contempt sentence of 274 days.

10 **IT IS SO ORDERED.**

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12 Dated: May 6, 2015.

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14 WILLIAM ALSUP  
15 UNITED STATES DISTRICT JUDGE  
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